

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5765

59th Legislature
2005 Regular Session

Passed by the Senate March 8, 2005
YEAS 47 NAYS 0

President of the Senate

Passed by the House April 5, 2005
YEAS 94 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5765** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5765 - CC

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Senate Committee on Natural Resources, Ocean & Recreation
(originally sponsored by Senators Spanel and Brandland)

READ FIRST TIME 02/25/05.

1 AN ACT Relating to allowing two holders of Puget Sound Dungeness
2 crab fishery licenses to operate both licenses on one vessel; and
3 amending RCW 77.65.100 and 77.65.130.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 77.65.100 and 2001 c 105 s 3 are each amended to read
6 as follows:

7 This section applies to all commercial fishery licenses, delivery
8 licenses, and charter licenses.

9 (1) An applicant for a license subject to this section may
10 designate a vessel to be used with the license. Except for emergency
11 salmon delivery licenses, the director may issue a license regardless
12 of whether the applicant designates a vessel. An applicant may
13 designate no more than one vessel on a license subject to this section.

14 (2) A license for a fishery that requires a vessel authorizes no
15 taking or delivery of food fish or shellfish unless a vessel is
16 designated on the license. A delivery license authorizes no delivery
17 of food fish or shellfish unless a vessel is designated on the license.

18 (3) No vessel may be designated on more than one commercial fishery
19 license unless the licenses are for different fisheries, except:

1 (a) The same vessel may be designated on two of the following
2 licenses, provided the licenses are owned by the same licensee:

- 3 ~~((a) Puget Sound Dungeness crab fishery license;~~
4 ~~(b))~~ (i) Shrimp pot-Puget Sound fishery license;
5 ~~((c))~~ (ii) Sea cucumber dive fishery license; and
6 ~~((d))~~ (iii) Sea urchin dive fishery license.

7 (b) The same vessel may be designated on two Puget Sound Dungeness
8 crab fishery licenses, subject to the provision of RCW 77.65.130.

9 (4) No vessel may be designated on more than one delivery license,
10 on more than one salmon charter license, or on more than one nonsalmon
11 charter license.

12 **Sec. 2.** RCW 77.65.130 and 2000 c 107 s 34 are each amended to read
13 as follows:

14 (1) A person who holds a commercial fishery license or a delivery
15 license may operate the vessel designated on the license. A person who
16 is not the license holder may operate the vessel designated on the
17 license only if:

18 (a) The person holds an alternate operator license issued by the
19 director; and

20 (b) The person is designated as an alternate operator on the
21 underlying commercial fishery license or delivery license under RCW
22 77.65.110.

23 (2) Only an individual at least sixteen years of age may hold an
24 alternate operator license.

25 (3) No individual may hold more than one alternate operator
26 license. An individual who holds an alternate operator license may be
27 designated as an alternate operator on an unlimited number of
28 commercial fishery licenses or delivery licenses under RCW 77.65.110.

29 (4) An individual who holds two Dungeness crab--Puget Sound fishery
30 licenses may operate the licenses on one vessel if the ~~((vessel owner))~~
31 license holder or alternate operator is on the vessel. The department
32 shall allow a license holder to operate up to one hundred crab pots for
33 each license.

34 (5) Two persons owning separate Dungeness crab--Puget Sound fishery
35 licenses may operate both licenses on one vessel if the license holders
36 or their alternate operators are on the vessel.

1 (6) As used in this section, to "operate" means to control the
2 deployment or removal of fishing gear from state waters while aboard a
3 vessel or to operate a vessel delivering food fish or shellfish taken
4 in offshore waters to a port within the state.

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